



AMADIBA CRISIS COMMITTEE – DECLARATION AND SOLIDARTIY PLEDGE -

21 MARCH 2019,

THE SIGIDI DECLARATION

Preamble:

1 Today on Human Rights Day, we communities of South Africa gather here in Sigidi village in Umgungundlovu to attend the Amadiba Crisis Committee (ACC) event, together with other mining affected communities, fishers, small-scale farmers and other rural and urban communities to celebrate and advance the Right to Say No.

JUSTICE and PEACE in our land, in Amadiba and in Africa!

2 We remember and reflect on our struggles and fallen heroes of the Pondo Revolt, Sharpeville, Marikana and here at Xolobeni. We also know that what happens to us also happens elsewhere on our African continent and that Ken Saro-Wiwa did not die in vain.

3 We condemn and we protest against the escalating violence and murders directed against communities who defend land. **'Mining security' and hitmen must leave our communities!**

Support for the just struggle of the ACC

4 There is a concerted effort to break the decade of resistance of the Amadiba community to mining and a toll road close to the coast that will displace the community and destroy the livelihoods of households. The community is also attacked for demanding development on its terms, and denied basic development infrastructure and local roads.

5 The community's struggle for its rights is expressed in mandated direct action, democratic protest and court litigation. We heard about this today.

Our defence of the Xolobeni judgement

6 **The 'right to say no' judgment of the North Gauteng High Court of November 2018 is significant. It ruled that the DMR has to obtain "full and informed" consent from communities under customary law before granting mining rights to companies.**

7 The Minister of Mineral Resources, Gwede Mantashe and his Department of Mineral Resources have been actively campaigning to promote mining in Xolobeni.

8 **They are now preparing a fake "survey" in Mbizana.** They refuse to accept that it is the affected land rights holders and the Umgungundlovu community that got the Right to Say NO by the Court, no one else.

9 **They refuse to accept that those who use land in Umgungundlovu are those who decide over this land,** in accordance with customary law of AmaMpondo, as the Court spelled out in writing.

10 Just as Mantashe and the Department of Mineral Resources are trying to crush the resistance of the Amadiba community and others resisting mining, so they are trying to crush AMCU whose

members have been on strike for over four months. We must live by the slogan an injury to one is an injury to all and pledge our solidarity with AMCU in every mine where they organise. We will support the workers of AMCU in fighting for a living wage and in resisting retrenchment. We recognise that workers have the right to say no to super-exploitation.

We will defend the Xolobeni Right to Say NO judgement on the ground and in Court

11 **Many mining affected communities, facing a similar situation to the five villages in the coastal Amadiba area (Umgungundlovu), have been acting in solidarity with the ACC.** We have been inspired by the resistance of the ACC. We have taken great confidence from the 'right to say no' judgment. We see the necessity of defending the judgement both in Court and on the ground.

12 **Equally other movements, especially fishers and land rights movements fighting land grabs, fight the imposition of infrastructure projects that dispossess or displace us and rob us of our livelihoods.**

We say No to the Bantustan Bills!

13 **Our communities are also threatened by new governance laws such as the Bantustan Bills.** They give further legal powers and government support to chiefs and traditional councils to sell community assets and property rights. **The Bills impose jurisdiction of chiefdoms according to 1951 Bantustan boundaries for tribal authorities.**

14 The Bills tries to go back to before 1994. This is counter revolution directed against the gains of the broad movement that brought down apartheid and created a democratic dispensation.

We agree that the right to say NO to is at the same time a clear YES

15 The right to say No to mal-development, extractivist projects and extractivist politics is based on our human rights – our right to property, our right to community life, our right to a clean healthy environment and our right to development.

16 The R2SN is: a YES to ways of living in harmony with the rest of the web of life. YES to the right to decide how to live our own lives. YES to the recognition that nature cannot be seen as a pile of so-called resources to be exploited at will in the search of (maximising) private profit. YES to valuing the work of subsistence and care over economic growth and profit. YES to production for use and not exchange. YES to valuing of indigenous identity, knowledge and perspectives.

YES to a new sustainable economic order, sensitive to social and environmental justice that does not deny that South Africa and the whole continent is threatened by Climate Change.

17 We also say:

- a) Yes to communities determining and having power to realise their own chosen development path – to our own democratic development processes.
- b) Yes to state-support for so chosen development paths.
- c) Yes to the empowerment of women as active participants and decision makers in communities.
- d) Yes to democratic collective ownership of land that also contains individual protections around occupation, use and inheritance.
- e) Yes to 'internalising' as opposed to 'externalisation' of development costs: Those who are in charge of projects shall pay for all cost and harm they create.
- f) Yes to the organisation and informing of communities and society in general: Informed consent instead of keeping secrets, telling lies and using deception

- g) Yes to the rehabilitation and development of local governance forms as they were before colonialism.
 - h) Yes to the redress of harm already caused in the absence of the respect and protection of a right to say no.
- 18 These statements provide a basis for solidarity between organisations and communities who may be confronted by different specific development problems but share a common vision going forward.
- 19 We have now shared a meal of amadumbe from the rich soils of Sigidi, and we are bound as companion communities and organisations to gather again and again to plan and implement our own development and our own futures.

We resolve to:

- 20 stand in solidarity with the ACC and the ACC to stand in solidarity with us, and
- 21 together to advance the right to say no as a substantive right applying to all communities and people's whose way of life is threatened and undermined.
- 22 Advance
- a. The right to say no, and the right to negotiate and claim reparation for historic loss and harm;
 - b. The fight against patriarchy and promoting women's rights;
 - c. Protection of human rights defenders in our communities, and resisting violence.
- 23 Lodging and registering our struggles, and participate in a campaign for the right to say NO and to stop the Bantustan Bills.
- 24 Resist an oceans economy that strips our coastal communities of their rights to fish and other marine resources, and exploits our beaches and ocean floors
- 25 Democratise local government, transform local governance institutions and promote participatory local democracy in all relevant instruments that affect our service delivery and land management including municipal IDPs and SDFs and their annual public audits.
- 26 Build our solidarity campaign.

Our communities and organisations listed below have mandated us to report on this declaration to our members, which we shall do and then respond to build our solidarity campaign further.

Adopted at Sigidi, Pondoland, Eastern Cape

21 MARCH 2019 CAMPAIGN LAUNCH: Amadiba Crisis Committee: amadibacrisiscommittee@gmail.com Spokesperson: Nonhle Mbuthuma 0763592982 Chairperson: Sbusiso Mqadi 0634964074. Visit Amadiba Crisis Committee on Facebook.

Participating organisations: Abahlali baseMjondole, Inyanda, SAMMAC, MACUA, AIDC, SWC, BMF, TCOE, LAMOSA, ARD, LARC, SAGRC, OXFAM SA, AMNESTY INTERNATIONAL and many others

Name:	1	2
Position:		
Community:		
Organisation:		
Contact details:		

Name:	1	2
Position:		
Community:		
Organisation:		
Contact details:		

Name:	1	2
Position:		
Community:		
Organisation:		
Contact details:		

Name:	1	2
Position:		
Community:		
Organisation:		
Contact details:		

Name:	1	2
Position:		
Community:		
Organisation:		
Contact details:		